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GENERAL ASSEMBLY
Forty-ninth session
Agenda item 134
STATUS OF THE PROTOCOLS ADDITIONAL TO THE GENEVA CONVENTIONS OF 1949 AND RELATING TO THE PROTECTION OF VICTIMS OF ARMED CONFLICTS

SECURITY COUNCIL
Forty-ninth year

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and to the members of the Security Council the attached note verbale dated 10 October 1994 from the Director-General of the World Health Organization enclosing a copy of resolution WHA46.39 adopted on 14 May 1993 by the World Health Assembly, at its forty-sixth session, on health and medical services in times of armed conflict.

Annex

Note verbale dated 10 October 1994 from the Director-General of the World Health Organization addressed to the Secretary-General

The Director-General of the World Health Organization presents his compliments to the Secretary-General of the United Nations and has the honour to transmit a copy of resolution WHA46.39 adopted on 14 May 1993 by the Forty-sixth World Health Assembly on health and medical services in times of armed conflict.

Noting the agenda for the current session of the General Assembly, the Director-General requests the Secretary-General to consider bringing the resolution to the attention of the General Assembly under agenda item 134, if he considers that this would be appropriate. The Director-General also requests the Secretary-General to bring this resolution to the attention of the Security Council.

Appendix

Resolution WHA46.39

HEALTH AND MEDICAL SERVICES IN TIMES OF ARMED CONFLICT

The Forty-sixth World Health Assembly,

Recalling the World Health Assembly resolution WHA30.32 and the Executive Board resolution EB61.R37 and decision EB63(10) on the Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment;

Recalling the rules of international humanitarian law on the protection of victims of armed conflict, especially the four Geneva Conventions of 12 August 1949 and their two additional protocols of 1977;

Recalling also the regulations in times of armed conflict, adopted by the World Medical Association in Havana, Cuba, in 1956 and Istanbul, Turkey, in 1957 and amended in Venice, Italy, in 1983 and the 1985 Declaration of Tokyo;

Aware that, over the years, considerations based on fundamental principles of humanity have resulted in improved protection for medical establishments and units as well as for their emblems;

Deeply disturbed by recent reports of increasing and widespread deliberate attacks on medical establishments and units and by the misuse of the Red Cross and Red Crescent emblems;

Further recalling that such acts constitute war crimes;

Deeply concerned over alleged systematic breaches of the Principles of Medical Ethics referred to above by some medical personnel;

1. CONDEMNS all such acts;

2. CALLS on all parties to armed conflicts to fully adhere to and implement the rules of international humanitarian law protecting wounded, sick and shipwrecked persons, as well as medical, nursing and other health personnel, and to respect provisions that regulate the use of Red Cross and Red Crescent emblems;

3. STRONGLY URGES parties to armed conflicts to refrain from all acts that prevent or obstruct the provision or delivery of medical assistance and services;

4. APPEALS to all medical, nursing and other health personnel associations to actively safeguard, promote and monitor strict adherence to established principles of medical ethics and to expose and take appropriate measures against infractions where they occur;

5. REQUESTS the Director-General:

(1) to advocate strongly the protection of medical establishments and units to all parties concerned;

(2) to liaise closely in this regard with the United Nations Secretary-General and his Under-Secretary-General for Humanitarian Affairs, Office of the High Commissioner for Refugees (UNHCR), United Nations Children's Fund (UNICEF), the International Committee of the Red Cross (ICRC), the International Federation of Red Cross and Red Crescent Societies (IFRC) and with competent organizations of the United Nations system, and other international and non-governmental organizations concerned;

(3) to disseminate this decision widely;

(4) to report to the Forty-eighth World Health Assembly in 1995 through the Executive Board on developments and on action taken by WHO to remedy the situations referred to in this resolution;

(5) to transmit this resolution to the Secretary-General of the United Nations with a view for its consideration by the General Assembly and the Security Council of the United Nations.

Thirteenth plenary meeting, 14 May 1993